

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN OF ILLINOIS
(Eastern Division)**

LOVETT AUTO & TRACTOR PARTS, INC.,
on behalf of itself and all others similarly
situated,

Plaintiff,

vs.

CHAMPION LABORATORIES, INC.;
PUROLATOR FILTERS N.A. L.L.C.;
HONEYWELL INTERNATIONAL, INC.;
WIX FILTRATION CORP., LLC; CUMMINS
FILTRATION, INC.; THE DONALDSON
COMPANY; BALDWIN FILTERS, INC.;
BOSCH U.S.A.; MANN + HUMMELL U.S.A.,
INC.; and ARVINMERITOR INC.,

Defendants.

Case No. 1:08-cv-2046

(Judge Robert W. Gettleman)

(Magistrate Judge Arlander Keys)

**DEFENDANTS PUROLATER FILTERS N.A. L.L.C.'S AND
ROBERT BOSCH LLC'S AGREED MOTION FOR ENLARGEMENT
OF TIME TO RESPOND TO PLAINTIFF'S COMPLAINT**

Defendants Purolator Filters N.A. L.L.C. and Robert Bosch LLC¹ (together,
"Defendants") hereby move for an enlargement of time until and through June 12,
2008, to answer or otherwise respond to the Complaint filed by plaintiff Lovett Auto

¹ Plaintiffs named "Bosch U.S.A." as a defendant in this action, but delivered the Summons and Complaint for Bosch U.S.A. to Robert Bosch LLC. Undersigned counsel is unaware of any entity named "Bosch U.S.A.," and represents Robert Bosch LLC for purposes of this Motion.

& Tractor Parts, Inc. ("Plaintiff").² Plaintiff has agreed to the relief sought in this motion. In support of this agreed-upon motion, Defendants state as follows:

1. On or about April 10, 2008, Plaintiff filed the complaint in this action, which alleges violations of Section 1 of the Sherman Act, 15 U.S.C. § 1. Plaintiff styled the action as a putative class action.

2. As of the date of this motion, another plaintiff has filed a complaint in this District, at least eight plaintiffs have filed separate complaints in the United States District Court for the District of Connecticut, two plaintiffs have filed complaints in the United States District Court for the Southern District of Illinois, one plaintiff has filed a complaint in the United States District Court for the Eastern District of Tennessee, and one plaintiff has filed an action in the United States District Court for the District of New Jersey. Each of these complaints alleges federal and/or state antitrust actions as against Defendants, and are styled as putative class actions.

3. On or about April 11, 2008, Plaintiff filed a motion before the Judicial Panel on Multidistrict Litigation ("the MDL Panel") to transfer and consolidate in this District all existing and subsequently-filed antitrust actions related to the claims alleged in its complaint. On April 15, 2008, plaintiffs in five of the actions pending in the United States District Court for the District of Connecticut filed a motion before the MDL Panel to transfer and consolidate all existing and

² This motion is not intended to waive any defenses that Defendants may have to Plaintiff's Complaint pursuant to Rule 12(b) of the Federal Rules of Civil Procedure or otherwise.

subsequently-filed actions in the District of Connecticut. Those motions are currently pending before the MDL Panel.

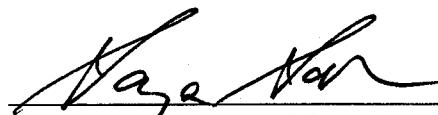
4. In light of the multiple complaints on file in various jurisdictions, the several motions pending before the MDL Panel, and the complex nature of Plaintiff's allegations, Defendants hereby move, with plaintiff's consent, to enlarge their time to answer or otherwise respond to this complaint for 30 days (i.e., until and through June 12, 2008), without prejudice to their right to seek additional enlargements time as necessary. Defendants have not previously sought or received any enlargements of time to answer or otherwise respond to Plaintiff's Complaint.

5. Counsel for defendant Champion Laboratories, Inc. conferred with counsel for Plaintiff on or about May 6, 2008, and was advised that Plaintiff consented to the relief requested by the moving Defendants.

6. WHEREFORE, Defendants respectfully move for an Order enlarging their time to answer or other respond to Plaintiff's complaint until and through June 12, 2008.

Dated: May 12, 2008

Respectfully submitted,



Sanya Sarich (Bar No. 6279683)

Daniel Sasse

Jerome A. Murphy

John L. Cuddihy

CROWELL & MORING LLP

1001 Pennsylvania Avenue, NW

Washington, D.C. 20004

Tel: (202) 624-2500

Fax: (202) 628-5116

*Attorney for Defendants
Purolator Filters N.A. L.L.C.
& Robert Bosch LLC*

SO ORDERED THIS _____ DAY OF _____, 2008

United States District Judge

CERTIFICATE OF SERVICE

I, Sanya Sarich, hereby certify that, on May 12, 2008, I electronically filed the foregoing Defendants Purolater Filters N.A. L.L.C.'s and Robert Bosch LLC's Agreed Motion for Enlargement of Time to Respond to Plaintiff's Complaint using the Court's CM/ECF System, and mailed copies of the same to the following attorneys who are not registered with the CM/ECF System:


Vineet Bhatia, Esq.
Susman Godfrey LLP
1000 Louisiana, Suite 5100
Houston, Texas 77002-5096

Stephen E. Morrissey
Susman Godfrey LLP
1901 Avenue of the Stars, Suite 950
Los Angeles, California 90067-6029

Stuart H. McCluer
McCulley McCluer PLLC
1109 Van Buren Avenue
Oxford, Mississippi 38655

R. Bryant McCulley
McCulley McCluer PLLC
One Independent Drive, Suite 3201
Jacksonville, Florida 32202

A. Hoyt Rowell, III
Daniel O. Myers
T. Christopher Tuck
James L. Ward, Jr.
Richardson, Patrick, Westbrook & Brickman, LLC
P.O. Box 879
Mt. Pleasant, South Carolina 29465



Sanya Sarich